

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 12, 2020

SEAN F. McAVOY, CLERK

PATTI B.,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:19-CV-3223-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Leisa A. Wolf represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 9. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 20**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Appeals Council will first determine whether the record supports a finding of disability. If the case requires further development, the Appeals Council will remand the case to an Administrative Law Judge (ALJ) to further inquire about Plaintiff's work activity and reevaluate the medical opinions, including the opinions of M. Capati, M.D., M. Ho, M.D., W. Drenguis, M.D.,

1 K. Strosahl, Ph.D., and C. Cooper, Ph.D. As necessary, the ALJ shall obtain
2 appropriate medical expert evidence to provide a longitudinal overview and clarify
3 the nature, severity and limiting effects of Plaintiff's medically determinable
4 physical and mental impairments throughout the period at issue. The ALJ will
5 reassess Plaintiff's residual functional capacity and intensity, persistence, and
6 limiting effects of Plaintiff's symptoms, consistent with Social Security Ruling 16-
7 3p; and re-evaluate the step four finding, including whether she has transferable
8 skills. If necessary, the ALJ shall also make step five findings with assistance
9 from a vocational expert.

10 2. **Judgment shall be entered for PLAINTIFF.**

11 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is
12 **STRICKEN AS MOOT.**

13 4. An application for attorney fees and costs may be filed by separate
14 motion.

15 The District Court Executive is directed to enter this Order, forward copies
16 to counsel, and **CLOSE THE FILE.**

17 DATED May 12, 2020.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE